

# Town Council Special Session, June 30

*There's a lot going on in Garrett Park government this month; unfortunately the Bugle is on its summer hiatus. So, to keep you up to date, here's a special online Council Notes column from Rich Folkers:*

This past Monday, the Town Council met in a special session that should have taken, at most, about 10 minutes. Of course, this being Garrett Park, nothing is that simple – and most certainly, never that brief.

The meeting was about budget. Just hours before the end of Garrett Park's fiscal year, the Council needed to pass a resolution bringing the 2008 budget into balance. That meant adjusting a few line items: taking a little from over here and putting it over there. The exercise was easier than anticipated because, as Mayor Keller explained, the Town's final income tax receipts for the fiscal year from the state of Maryland turned out to be higher than anticipated.

So, what's the big deal, you wonder? Well, the main reason this meeting had to happen in the first place was on account of the Town's unusually large legal fees, including \$32,000 (to date) to defend itself from a lawsuit that emanated from the denial in January of a building permit for a front porch. The owners of that home have taken the Town to court, rather than taking the usual step of seeking a zoning variance. Among the two dozen or so people attending the council meeting, a clear majority seemed to be friendly with, related to, or the lawyer representing the homeowners. And they gave the Mayor and Council quite a grilling.

Several times, Town Administrator Ted Pratt reminded the crowd that the meeting was purely to bring the budget back in balance, and that there were, indeed, other items that had thrown it out of whack – including the new air conditioning for Town Hall, to name just one. (From a personal standpoint, with that many bodies in the room, we were grateful for the expenditure.)

The anger, however, would not be turned back. Several speakers wanted to know why the town had not offered any accommodation, so the homeowners could build their porch. The homeowners' attorney took the floor to contest Mayor Keller's column from the June *Bugle*, in which he reported the Town attorney's assertion that the suit is "meritless." Complaining that the homeowners lack the communications "vehicle" available to the town, she said, "As their counsel, I would never condone filing a frivolous lawsuit... We believe we're going to prevail on the law."

The Mayor and Council were in a tough spot. As parties to the lawsuit, they couldn't join the fray. If you're being sued, you're supposed to have your attorney speak to their attorney, and that's it. (It did seem a misstep that the town didn't have available at the meeting a detailed breakdown of its legal spending that was repeatedly requested.)

A relative of one of the homeowners rose to express her frustrations, too, saying that, had the town not spent legal fees and settled this dispute, it could have repaired sidewalks, tennis courts, and the nursery school building (which, for the record, the Town does not own).

In a saved-by-the-bell moment, the contentiousness all came to an end with a unanimous vote for the amended budget. The next round will be July 15, when the lawsuit goes before a judge.